(ര) ഫർജിക്കായ്യും ഗവമ്മെണ്ടിന്റെ ആലോചനയിൽ ഇരിക്ക കൊണ്ടു ഈ ചോദ്യത്തിന്നു് ഇപ്പോൾ ഉത്തരം പറയുവാൻ നിവൃത്തിയില്ല.

(ഭ) ര-ാം ചോദ്യത്തിന്റെ ഉത്തരം നോക്കുക.

(ന) ഉത്തരം ആവശ്യമില്ല.

മിസ്റ്റർ വി. കെ. കുട്ടി *(Muslims)*.— Question No. 2 ഉണ്ടെങ്കിൽ അതിനെപ്പറ്റി ഉണ്ടായ അന്വേഷണത്തിന്റെ റിപ്പോർട്ടു് സഭയം മേശപ്പുറത്തു വയ്ക്കുമോ? എന്നതിനു ആൻസർ രണ്ടിൽ വയ്ക്കുന്നതല്ല എന്നു പറഞ്ഞിട്ടുണ്ടു്. എന്താണു് ഇതിനുള്ള പ്രതിബന്ധം എന്നു പറയാമോ?

ഡാക്ടർ ഇ. എസ്സ്. ആർ. മേനോൻ *(Director of Public Health and Panchayats)*.— റിപ്പോർട്ട കാൺഫിഡൻഷ്യൽ ആണു്. അതുകൊണ്ടു മേശപ്പുറത്തു വക്കുവാൻ സാധിക്കുന്നതല്ല.

Bridge—Erappan Thodu—Poyya Panchayat.

283. Mr. P. Govinda Menon *(Adur)*.—Will the Government be pleased to state:—

(a) whether there has been a request from the Poyya Panchayat for a bridge over the Erappan Thodu in that Panchayat area;

(b) if so, what has been done in the matter?

Dr. E. S. R. Menon *(Director of Public Health and Panchayats)*.—(a) Yes.

(b) The work has been ordered to be taken up in 1113.

Acquisition—Elamkulam Village—award—payment of.

284. Mr. P. Sankunni Menon *(Elamkunnapuzha)*.—Will the Government be pleased to state.—

(a) when was the award No. 39 of 1110 relating to the acquisition of Survey number 754 of Elamkulam Village, C. K. Taluk, passed;

(b) whether all the monies due to the claimants under that award have been disbursed;

(c) whether any and, if so, what amount is left undisbursed under that award;

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(d) whether in regard to all disputed claims references have been made to the District Court as enjoined by law;

(e) (1) whether any matter in dispute is still left without having been referred to the District Court; and

(2) if so, the reason for the same;

(f) (1) whether the Diwan Peishkar has not been petitioned very many times by one amongst the claimants under that award by name Nethramangalath Narayana Menon to make a reference of his dispute to the District Court;

(2) if so, what action has been taken upon his petitions?

Mr. K. Achyuta Menon *(Diwan Peishkar).*—(a) On 7th Dhanu 1110.

(b) No.

(c) Yes, Rs. 159—9—0.

(d) No, the law does not, however, enjoin any reference unless the application is presented within the statutory period.

(e) (1) Yes, two items.

(2) The references had not been made for the following reasons.—

(i) There was no request from the party for a reference to court for adjudication on the question of title.

(ii) The practice in the Department has been to allow the parties time to come to a settlement with a view to avoid the trouble and expenses of litigation.

(iii) Even if the Diwan Peishkar was, in his discretion, inclined to make a reference *suo moto,* he could not do so for want of information regarding the legal heirs of one of the parties who had, in the meantime, passed away. The information became available only recently. The references have now been made.

(f) (1) No.

(2) No answer is called for in view of the answer to part (1) above.

Mr. P. Sankunni Menon *(Elamkunnapuzha).*— Two years were therefore spent in getting the names of the legal heirs?

Mr. K. Achyuta Menon *(Diwan Peishkar).*—Yes.

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Mr. P. Sankunni Menon (*Elamkunnapuzha*).—Is it the practice of allowing settlement with a view to avoid the trouble and expense? Under what section?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—The practice has sprung up in the department to enable the parties to avoid the trouble and inconvenience and expense involved in the litigation and if the practice is put a stop to the only person to suffer by that is the party concerned.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).—Under what section of the Land Revenue Manual?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—There is no section; but it has been the practice till now.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).—Is not the Diwan Peishkar bound to make a reference as soon as there is an application for reference?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—It is usual to give some time to the parties so that they may come to a compromise.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).—Even if the parties do not want time to come to a compromise?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—It is an indication that some more time should be given to settle the dispute. The last date on which I could have made a reference was at the end of Thulam 1112 when I got the final report from the Tahsildar. I gave them two months time. There was nothing which prevented me from paying the amount. But I gave two months' time to the Cheranellur Kartha.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).— Mr. Kartha requested to make a reference and no reference was made in spite of repeated reminders.

Mr. K. Achyuta Menon (*Diwan Peishkar*)—The assertion is absolutely wrong.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).—What is the period in which the application is to be made?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—There are two periods, one within six months and the other within three months.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).—Should not the protest be made at the time of the actual disbursement?

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Mr. K. Achyuta Menon (*Diwan Peishkar*).—Pending receipt of notice of the award he can receive the money under protest.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).—When he receives the notice the protest has to be made ?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—Even if he receives the money he could receive it under protest.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).—Can you still make a reference because it is an estoppel?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—I maintain you can; but all wise people take payment only on protest.

Diwan Peishkar—Residence while in camp at Ernakulam—particulars regarding.

285. Mr. P. Sankunni Menon (*Elamkunnapuzha*).—Will the Government be pleased to state:—

(a) where the Diwan Peishkar usually camps while he is at Ernakulam on circuit;

(b) whether he camps at the place locally known as 'ാാ ോാാി';

(c) whether that place is not an island practically uninhabited;

(d) whether there is any ferry service between Ernakulam and that place;

(e) whether the Government are aware that his residence while in camp at Ernakulam at that place is causing great inconvenience to people wishing to have interviews with him in his official capacity?

Mr. K. Achyuta Menon (*Diwan Peishkar*).—(a) There is no fixed place for him to camp at Ernakulam.

(b) Yes. Sometimes.

(c) No.

(d) No. But it is on the ferry route between Chathyath and Mulavukad.

(e) No.

Mr. P. Sankunni Menon (*Elamkunnapuzha*).—With reference to (d) is there any ferry service between Chathyath and this place?

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